

NO. 5:11-CV-360-H

ORDER

This matter is before the court on defendants' motion to dismiss pursuant to Rule 12(b)(1) and (6). The court has carefully reviewed this matter, including the complaint, defendants' motion to dismiss and supporting memorandum, plaintiff's response thereto, and defendants' reply. The court has also reviewed plaintiff's motion to reassign case and motion for summary judgment.

plaintiff filed with the North Carolina State Bar (hereinafter "State Bar") concerning her attorney.


Plaintiff was arrested for driving under the influence (DWI). Plaintiff hired an attorney. While her case was pending, she filed a grievance against her attorney with the State Bar. Defendants investigated plaintiff's grievance pursuant to standard internal procedures and reported their findings to the State Bar Grievance Committee. Finding no probable cause for the grievance, the State Bar Grievance Committee dismissed it.

The court has carefully reviewed this matter, including the defendants' motion to dismiss, plaintiff's response and defendants' reply. The court finds that plaintiff's complaint should be dismissed for the reasons stated in the defendants' memorandum in support of their motion to dismiss. The court finds that plaintiff does not have standing and therefore her claims are dismissed pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure. Even if she could show standing, plaintiff has failed to state a claim for which relief may be granted. See Fed. R. Civ. P. 12(b)(6).

CONCLUSION

Defendants' motion to dismiss [DE #9] is GRANTED. All other pending motions are deemed moot. The clerk is directed to close this case.

This 12<sup>th</sup> day of December 2011.

  
\_\_\_\_\_  
Malcolm J. Howard  
Senior United States District Judge

At Greenville, NC  
#26